

The opinion in support of the decision being
entered today is not binding precedent of the Board.

By: Trial Section Merits Panel
Box Interference
Washington, D.C. 20231
Tel: 703-308-9797
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Paper 74 38

Filed: March 20, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GENCELL S.A.

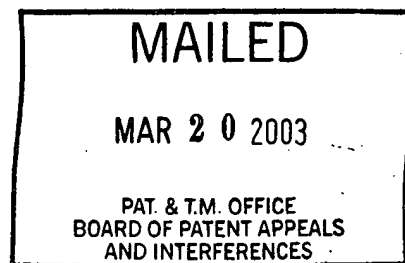
Junior Party,
Application 08/397,225

v.

JEAN-LUC IMLER, MAJID MEHTALI
and ANDREA PAVIRANI

Senior Party
Application 09/218,143

Patent Interference No. 104,824 (CAS)



Before: TORCZON, SPIEGEL and LANE, Administrative Patent Judges.

SPIEGEL, Administrative Patent Judge.

FINAL JUDGMENT

Junior party Gencell S.A. (Gencell) has filed a written request for "adverse judgement as to Count 1, as redefined by granted Joint Preliminary Motion 1 and the Memorandum Opinion and Order (Paper 64)" pursuant to 37 CFR § 1.662(a) (Paper 71). Accordingly, it is

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.


SALLY GARDNER LANE
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

¹ Paper 61, p. 2 ("Perricaudet '225 claims 1-3, 9, 11-18, 28, 30, 35, and 40-41, as amended in accordance with attached Proposed Amendment C"); Paper 64, p. 6; Paper 66 (entering "Proposed Amendment C."

cc (via fax and first class mail):

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entered today is not binding precedent of the Board.

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37
Paper

Filed: March 6, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

IMRE KOVESDI, DOUGLAS E. BROUGH,
DUNCAN L. MCVEY, JOSEPH T. BRUDER
and ALENA LIZONOVA

Junior Party,
Application 08/258,416

v.

JEAN-LUC IMLER, MAJID MEHTALI
and ANDREA PAVIRANI

Senior Party
Application 09/218,143

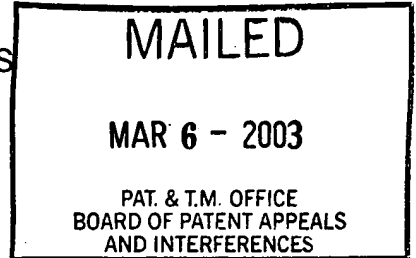
Patent Interference No. 104,822 (CAS)

Before: TORCZON, SPIEGEL and GARDNER LANE, Administrative Patent Judges.
SPIEGEL, Administrative Patent Judge.

FINAL JUDGMENT

Junior party Kovesdi has filed a written "abandonment of the contest" pursuant to
37 CFR § 1.662(a) (Paper 40). Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1, p. 5), the sole



count in the interference, is awarded against junior party IMRE KOVESDI, DOUGLAS E. BROUGH, DUNCAN L. MCVEY, JOSEPH T. BRUDER and ALENA LIZONOVA.

FURTHER ORDERED that junior party IMRE KOVESDI, DOUGLAS E. BROUGH, DUNCAN L. MCVEY, JOSEPH T. BRUDER and ALENA LIZONOVA is not entitled to a patent containing claims 20-21, 24-26, 52, 56-58, 68-69, 72-73, 78-79 and 84-87 (corresponding to Count 1) of application 08/258,416, filed June 10, 1994.

FURTHER ORDERED that a copy of this paper shall be made of record in the files of applications 08/258,416 and 09/218,143.

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.


RICHARD TORCZON
Administrative Patent Judge

Carol A. Spiegel
CAROL A. SPIEGEL
Administrative Patent Judge


SALLY GARDNER LANE
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

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